

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 12-cv-3065 (JRT/TNL)

Public Record Media, LLC,)
)
)
Plaintiff,)
)
)
v.) **STIPULATION FOR**
) **SETTLEMENT**
U.S. Department of Health and)
Human Services,)
)
)
Defendant.)

It is hereby stipulated by and between Plaintiff Public Record Media, LLC and Defendant U.S. Department of Health and Human Services, by and through their respective attorneys, as follows:

1. The parties do hereby agree to settle and compromise the above-entitled action under the terms and conditions set forth herein.
2. Defendant U.S. Department of Health and Human Services agrees to pay to Plaintiff Public Record Media, LLC the sum of two thousand five hundred dollars (\$2,500) (settlement amount) representing Plaintiff Public Record Media, LLC's attorney's fees, costs, and litigation expenses in connection with the above-captioned matter. This settlement amount shall be in full and complete settlement and satisfaction of any and all claims, demands, rights, and causes of action Plaintiff, its assignees, or attorneys may have for attorney's fees, costs, and expenses in the above-styled action, and is inclusive of any interest.

3. Payment of the settlement amount will be made by the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services Office of Financial Management by electronic funds transfer (EFT) payable to Public Record Media, LLC, based on EFT transfer information provided by Plaintiff Public Record Media, LLC.

4. In consideration of the payment of the settlement amount as set forth above, Plaintiff Public Record Media, LLC agrees to make no further challenge of any kind regarding the Freedom of Information Act request underlying this lawsuit (FOIA request control number 030720127082, PIN W767), or the government's response thereto. Plaintiff Public Record Media, LLC further agrees that within three (3) business days after receiving the settlement amount, it will execute and provide to Defendant's attorney a release in the form attached hereto as Exhibit A. Plaintiff Public Record Media, LLC further agrees that within three (3) business days after receiving the settlement amount it will execute such documents necessary to cause the above-styled action to be dismissed in its entirety with prejudice from the docket of the Court.

5. This stipulation shall not constitute an admission of liability or fault on the part of the United States, the U.S. Department of Health and Human Services, its agencies, or employees, and is entered into by both parties for the purpose of compromising disputed claims and avoiding the expenses and risks of litigation.

6. This stipulation is binding upon and inures to the benefit of the parties hereto and their respective successors and assigns.

Dated: May 20, 2013

s/ JT Haines
JT HAINES
Attorney No. 303379
2375 University Avenue West
St. Paul, MN 55114
(612) 743-7781
jthaines@publicrecordmedia.com
Attorney for Plaintiff

Dated: May 20, 2013

B. TODD JONES
United States Attorney

s/ Ann M. Bildtsen
BY: ANN M. BILDTSEN
Attorney ID Number 271494
Assistant United States Attorney
600 U.S. Courthouse
300 S. Fourth Street
Minneapolis, MN 55415
ann.bildtsen@usdoj.gov
(612) 664-5600 Telephone
Attorneys for Defendant

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 12-cv-3065 (JRT/TNL)

Public Record Media, LLC,)	
)	
Plaintiff,)	
)	
v.)	RELEASE
)	
U.S. Department of Health and)	
Human Services,)	
)	
Defendant.)	

In consideration of the payment of two thousand five hundred (\$2,500) dollars to Plaintiff Public Record Media, LLC, by the Defendant, U.S. Department of Health and Human Services, the receipt of which is hereby acknowledged, Plaintiff, Public Record Media, LLC, hereby releases and forever discharges the Defendant, U.S. Department of Health and Human Services and its successors, the United States of America, and any department or agency of the United States, and any officers, employees, agents, successors, or assigns thereof, from any and all claims and causes of action that Plaintiff or its assignees, agents, or attorneys assert or could assert by reason of the Freedom of Information Act request (FOIA request control number 030720127082, PIN W767) that is the subject of this action, including but not limited to all past, present, or future claims for attorney's fees, costs, or litigation expenses in connection with the above-captioned case.

IN WITNESS WHEREOF the undersigned has executed this release document
this ____ day of _____, 2013.

Witness

Matt Ehling
President, Public Record Media, LLC